

## **complaint**

Mrs B complains about the way that Lowell Financial Limited has dealt with a payment that was set up in her name by her daughter.

## **background**

Mrs B's daughter fraudulently set up a direct debit to a third party from Mrs B's account. The resulting debt was then sold to Lowell. The payment was set up in Mrs B's former married name and Lowell asked her to send it proof of her name change. She didn't do so because of a fear that her identity might be stolen. She complained to Lowell about these events and said that it had insulted her. Lowell said that it wouldn't pursue Mrs B for the debt and wouldn't contact her about it in the future. And it said that it would remove the information about the debt that it had recorded on her credit file. But Mrs B wasn't satisfied with Lowell's response so complained to this service.

The adjudicator didn't recommend that this complaint should be upheld. He noted that Lowell had asked for proof of Mrs B's name change. And though he understood her concerns about her personal information being stolen or misused – he said that Lowell needed evidence to show that Mrs B didn't set up the payment so it was reasonable for it to ask for it. Lowell said that it was no longer taking any further action to recover the debt and it wouldn't be contacting Mrs B about the debt in the future. And it said that it would remove any information that it had provided about the debt from Mrs B's credit file. So he concluded that what Lowell was offering to do was actually more than he would've asked it to.

Mrs B has asked for her complaint to be considered by an ombudsman. She says, in summary, that she's being accused of something that she had no part in and her good reputation is being damaged because of Lowell's refusal to accept the true facts from her.

## **my findings**

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint.

Lowell bought the debt that was in Mrs B's name. When she said that the payment had been set up fraudulently I consider that it was fair and reasonable for Lowell to ask for evidence to show that that was the case. But Mrs B wouldn't provide that evidence. I'm not persuaded that there's enough evidence to show that Lowell has acted incorrectly in dealing with the debt or that it has insulted Mrs B.

Lowell has said that it won't pursue Mrs B for the debt, that it won't contact her about the debt and that it has removed the information about that debt that it has recorded on her credit file. I consider that to be more than fair and reasonable in the circumstances. And I find that it wouldn't be fair or reasonable for me to require it to take any other action in response to Mrs B's complaint.

## **my final decision**

For these reasons, my decision is that I don't uphold Mrs B's complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs B to accept or reject my decision before 31 October 2016.

Jarrold Hastings  
**ombudsman**